GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1785
ANSWERED ON:10.12.2004
PRONOUNCING OF JUDGEMENT
Bansal Shri Pawan Kumar

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) Whether after the conclusion of arguments, judgements are reserved by various High Courts in a large number of cases and not pronounced for a very long period;

(b) if so, whether there are any norms fixing the time pronouncing a judgement; and

(c) the number of cases pending for pronouncements in various High Courts of the country for six months, one year and over one year respectively?

Answer

MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY)

(a) As per available information there were 173 cases in Madhya Pradesh High Court, 60 cases in Karnataka High Court, 12 cases in Uttaranchai High Court as on 31st December 2003 and 38 cases in Calcutta High Court as on 30 June 2003 where judgements were reserved. As for other High Courts, there are no such cases where judgements have been reserved.

(b) Order XX Rule (1)
(i) of the CPC (Amendment) Act, 2002 provides as under: -

`The Court, after the case has been heard, shall pronounce judgement in anopen Court, either at once, or as soon thereafter as may be practicable and when the judgement is to be pronounced on some future date, the Court shall fix a day for that purpose of which due notice shall be given to the parties or their pleaders:

provided that where the judgement is not pronounced at once, every endeavour shall be made by the Court to pronounce the judgement within thirty days from the date on which the hearing of the case was concluded, but where it is not practicable so to do on the ground of the exceptional and extraordinary circumstances of the case, the Court shall fix a future day for the pronouncement of the judgement, and such day shall not ordinarily be a day beyond 60 days from the date on which the hearing of the case was concluded, and due notice of the day so fixed shall be given to the parties or their pleaders.`

(c) A statement is enclosed.